

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
CHARLES A. MANTZ, CLERK OF THE COURT

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

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<u>PAPER NUMBER</u>	<u>DAY</u>	<u>MONTH - 1947</u>	
745	3	March	Application on behalf of accused ITAGAKI, Seishiro; OKAWA, Shumei; MINAMI, Jiro; UMEZU, Yoshijiro; HOSHINO, Naoki; for production of witnesses. (See Order No. 801).
746	3	March	Withdrawal by Counsel.
**	3	March	Hearing in Court Room; Defense made oral application that certain documents be received in evidence. Tribunal ruled it would not receive evidence as to relations between the USSR and Finland, Latvia, etc. Defense Exhibits Nos. 2323 to 2326 inc. marked for identification.
747	4	March	Acceptance of service of summons.
748- 749	4	March	Oaths of witnesses.
750	4	March	Certificate nominating Counsel.
**	4	March	Hearing in Conference Room; To consider matter of establishment of Rules of Procedure for examination of witnesses called by Defense on its own behalf. Matter continued for further consideration.
**	4	March	Hearing in Court Room; Defense Exhibits Nos. 2337 to 2344 inc. marked for identification. Oral application of Defense for order dismissing Defense witness OKADA, Tadahiko; Granted.

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**	5	March	Hearing in Court Room; CHIKAO, Fujisawa withdrew his appearance as Counsel for accused SATO. Tribunal ordered that Mr. David F. Smith, Counsel for accused FIROTA, be barred from further appearance before the Tribunal, stating grounds and conditions. Prosecution Exhibit No. 2345 and Defense Exhibit No. 2346 marked for identification.
751- 752	6	March	Oaths of witnesses.
753	6	March	Certificate testifying to illness of KAYA, Okinori.
754	6	March	Oath of witness.
**	6	March	Hearing in Court Room; Defense Exhibits Nos. 2347 to 2350 inc. marked for identification. Oral application of Defense for order dismissing Defense witness MITARAI, Tatsuo; Granted. Oral applications of Defense to temporarily withdraw Defense witnesses TAKURA, Kosaku, and INOUE, Takamura, with permission to recall them at a later date; Granted.
755	6	March	Order granting withdrawal from the file of the Tribunal Court Exhibits Nos. 2323, 2324, et al. (Disposes of oral motion).
756	7	March	Application on behalf of TOJO, Hideki, for production of witnesses (See Order No. 766).
757- 758	7	March	Certificates testifying to illness of KAYA, Okinori, and TOJO, Hideki, respectively.
759	7	March	Application for order to amend previous orders in re: Receipts for withdrawal of Court Exhibits (See Order No. 765).
**	7	March	Hearing in Court Room; Trial of the case resumed.
760	10	March	Oath of witness.

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761- 763	10	March	Certificates testifying to illness of SHIGEMITSU, Mamoru; TOJO, Hideki; and KAYA, Okinori, respectively.
**	10	March	Hearing in Court Room; Defense Exhibits Nos. 2351 to 2354 inc. marked for identification. Oral application of Defense to temporarily release Defense witness YAMAMOTO, Kumaichi, with permission to recall him at a later date; Granted. Oral application of Defense for order dismissing Defense witness MURATA, Shozo; Granted.
**	11	March	Hearing in Conference Room; Further hearing on matter of procedure for examination of Defense witnesses; ORDERED that said matter be continued to 0930 hours in Open Court. On Application (Paper No. 756) of the accused TOJO for production of witnesses under the Charter; Granted (See Order No. 766). On Application (Paper No. 759) for an order amending previous orders, in re: Individuals authorized to receipt for withdrawals of Court Exhibits on behalf of Prosecution and Defense; Granted (See Order No. 765).
764	11	March	Acceptance of service of summons.
765	11	March	Order amending previous orders, in re: Receipts for the withdrawal of Court Exhibits (Disposes of Paper No. 759).
766	11	March	Order for the issuance of summonses for witnesses on behalf of the accused TOJO, Hideki (Disposes of Paper No. 756).
767	11	March	Oath of witness.
768- 769	11	March	Certificates testifying to illness of TOJO, Hideki, and SHIGEMITSU, Mamoru, respectively.
**	11	March	Hearing in Court Room; Defense presented proposed rules agreed upon by Defense and Prosecution as to order of procedure of examination of Defense witnesses; ORDERED the Tribunal would take proposed rules under consideration. Defense Exhibits Nos. 2355 to 2367 inc. marked

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for identification. Defense made oral application for order granting leave to withdraw Exhibits No. 2355 to 2360, inc.; ORDERED that said Exhibits will remain under custody of the Court, but made available for examination. Oral application of Defense for temporary release of Defense witness YAMAMOTO, Kumaichi, with permission to recall him at a later date; Granted. Oral application of Defense for order dismissing Defense witness INOUE, Takamaro; Granted (Released conditionally on 6 March 1947). Oral application of Defense for order dismissing Defense witness ANDO, Kisa-buro; Granted.

770	12	March	Oath of witness.
771- 772	12	March	Certificates testifying to illness of TOJO, Hideki, and ARAKI, Sadao, respectively.
773	12	March	Oath of witness.
774- 775	12	March	Acceptance of service of summons.
**	12	March	Hearing in Court Room; Defense Exhibit No. 2368 marked for identification. Oral application of Defense for order dismissing Defense witnesses YOSHINO, Shinzi, and OWADA, Teiji; Granted.
776	13	March	Acceptance of service of summons.
777- 778	13	March	Certificates testifying to illness of ARAKI, Sadao and TOJO, Hideki, respectively.
779	13	March	Oath of witness.
780	13	March	Acceptance of service of summons.
781- 782	13	March	Oaths of witnesses.

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**	13	March	Hearing in Court Room; Tribunal announced its decision on applications of Prosecution and Defense for an order establishing rules of procedure supplemental to the general rules governing examination of witnesses produced by Defense or individual accused according to set of rules agreed upon by respective Counsel and submitted to the Tribunal; Granted, with certain reservations. Oral applications of Defense for order dismissing Defense witnesses OKADA, Kisaburo, and ONO, Takeshi; Granted. Defense Exhibit No. 2369 marked for identification.
783	14	March	Certificate testifying to illness of TOJO, Hidoki.
784	14	March	Oath of witness.
785	14	March	Acceptance of service of summons.
**	14	March	Hearing in Court Room; Defense Exhibits Nos. 2370 to 2377 inc. marked for identification. Oral application of Defense for order dismissing Defense witness MAYAMA, Kwanji; Granted.
786- 787	17	March	Oaths of witnesses.
**	17	March	Hearing in Court Room; Tribunal heard and considered matter of the right of American Defense Counsel to make objections to testimony brought out on cross examination where examination in chief had been made by Japanese Defense Counsel; ORDERED that the matter be taken under consideration. Court suggested that on general phases one American Counsel be authorized to handle objections on behalf of all the accused where examination in chief had been conducted by Japanese Counsel and that one Japanese Counsel be permitted objections where American Defense Counsel had examined in chief; also, that when individual defense was reached, the Tribunal would consider the matter further; also, where testimony on cross examination

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affects adversely one of the accused, then American Counsel for that accused might make special objections. Oral applications of Defense for order dismissing Defense witnesses YOSHIDO, Akio, and NAKAMURA, Keineshan: Granted. Defense Exhibit No. 2378 marked for identification.

788	18	March	Acceptance of service of summons.
789- 790	18	March	Oaths of witnesses.
**	18	March	Hearing in Court Room; Defense Exhibit No. 2379 marked for identification. Defense presented opening statement on the "Manchurian" phase. Oral application of Defense for dismissal of Defense witness IWAMATSU, Goro, with permission to recall him at a later date; Granted. Oral applications of Defense for order dismissing Defense witnesses KIDO, Shiro, and MIZUNO, Yoshiyuki; Granted.
791	19	March	Certificate testifying to illness of MATSUI, Iwane.
**	19	March	Hearing in Conference Room; On oral application of Defense to summons all witnesses to be produced by the Defense, and the Court ORDERED that said matter be taken under consideration.
**	19	March	Hearing in Court Room; Defense Exhibits Nos. 2380 and 2381 marked for identification.
792	20	March	Certificate testifying to illness of MATSUI, Iwane.
793	20	March	Oath of witness.
794	20	March	Application of accused OSHIMA, Hiroshi, for temporary emergency parole to visit aged father alleged to be dying (See Order No. 795).
**	20	March	Hearing in Conference Room; On Application (Paper No. 745) of accused ITAGAKI, OKAWA, MINAMI, UMEZU and HOSHINO, for

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the production of witnesses under the Charter; ORDERED granted and that evidence of these witnesses, with exception of KANAI, Shoji, be taken on affidavit and copies thereof in the English language be served on all the Justices not less than 3 days before the affidavits are produced in Court (See Order No. 801).

**	20	March	Hearing in Court Room; Defense Exhibit No. 2382 marked for identification.
**	21	March	Hearing in Conference Room; On Application (Paper No. 794) of accused OSHIMA for temporary emergency parole for the purpose of visiting his father; ORDERED granted "upon specified conditions" (See Order No. 795).
795	21	March	Order granting application of the accused OSHIMA, Hiroshi, for temporary emergency parole, subject, however, to ratification and consent of the Supreme Commander for the Allied Powers and proper security measures. (Disposes of Paper No. 794).
796	21	March	Application on behalf of the Defense for leave to withdraw a book entitled "Government in Japan" by Charles Fahs (Court Exhibit No. 2361). (See Order No. 802).
797	21	March	Oath of witness.
798	21	March	Certificate testifying to illness of MATSUI, Iwano.
**	21	March	Hearing in Court Room; Oral application of Defense for order dismissing Defense witness YAMAGUCHI, Joji; Granted.
799	24	March	Certificate testifying to illness of MATSUI, Iwano.
**	24	March	Hearing in Court Room; Oral application of Defense for a recess of one week; ORDERED granted, upon specified conditions.

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800	25	March	Certificate testifying to illness of MATSUI, Iwane.
801	15	April	Order granting the issuance of summonses for 13 witnesses on behalf of the accused ITAGAKI, OKAWA, MINAMI, UMEZU, and HOSHINO, upon certain terms and conditions. (Disposes of Paper No. 745).
802	26	March	Order granting withdrawal from the files of the Tribunal Court Exhibit No. 2361. (Disposes of Paper No. 796).
**	25	March	Hearing in Court Room; Oral application of Defense to dismiss Defense witness KATAKURA, Tadashi; Granted. Tribunal further ORDERED, upon certain terms and conditions, a recess of 7 days for the Court, to reconvene on Wednesday, 2 April 1947 at 0930 hours (See Paper No. 844).
803	31	March	Acceptance of service of summons.

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